

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

JS 6

Case No. CV 15-9312 DSF (KLSx)

Date 12/9/15

Title Wilmington Trust National Association v. Murray Breck, et al.

Present: The Honorable DALE S. FISCHER, United States District Judge

Debra Plato

Not Present

Deputy Clerk

Court Reporter

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

Not Present

Not Present

Proceedings: (In Chambers) Order REMANDING Case to Superior Court of California, County of Los Angeles

This matter was removed from state court on December 2, 2015, based on federal question and diversity jurisdiction. The complaint is a state law unlawful detainer complaint and does not state a federal cause of action. While the notice of removal claims federal question jurisdiction, jurisdiction is based on the plaintiff's complaint and not on any federal counterclaims or defenses that a defendant might assert. See Holmes Group, Inc. v. Vornado Air Circulation Sys., Inc., 535 U.S. 826, 830-32 (2002). As for diversity jurisdiction, the face of the complaint makes clear that far less than \$75,000 is at issue.

The case is REMANDED to the Superior Court of California, County of Los Angeles.

IT IS SO ORDERED.